

Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BINH THANH IMPORT EXPORT
PRODUCTION & TRADE JOINT STOCK
CO., d/b/a GILIMEX, INC.,

Plaintiff,

-against-

AMAZON.COM SERVICES, LLC, d/b/a
AMAZON ROBOTICS,

Defendant.

Case No.: 1:23-cv-00292-LGS

**DECLARATION OF EDWARD E. FILUSCH IN SUPPORT OF PLAINTIFF BINH
THANH IMPORT EXPORT PRODUCTION & TRADE JOINT STOCK CO.'S
OPPOSITION TO DEFENDANT'S MOTION FOR A PRE-MOTION CONFERENCE
AND SANCTIONS**

Edward E. Filusch, an attorney duly admitted to practice in the State of New York and in the Southern District of New York, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner of the law firm of Kasowitz Benson Torres LLP, counsel for Binh Thanh Import Export Production & Trade Joint Stock Co. ("Gilimex") in the above-captioned matter. I am familiar with the facts and circumstances of this action. I make this declaration in support of Gilimex's opposition to defendant Amazon.com Services LLC's ("Amazon's") motion for a pre-motion conference and sanctions (Dkt. 176, the "Motion").

2. In support of Gilimex's opposition to Amazon's Motion, attached hereto are true and correct copies of the exhibits identified herein.

3. Attached hereto as Exhibit 1A is a November 19, 2021 email chain between Terry Sall, Foday Bayon, and others, bearing the bates numbers AMAZ00017163-64, which was produced in this litigation.

4. Attached hereto as Exhibit 1B is an April 7, 2015 email chain between Tom Barry,

Le Thao, and others, bearing the bates numbers GILM00002493-95, which was produced in this litigation.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 17, 2025
New York, New York

KASOWITZ BENSON TORRES LLP

By: /s/ *Edward E. Filusch*
Edward E. Filusch

1633 Broadway
New York, New York 10019
Tel.: (212) 506-1710
Fax: (212) 506-1800

Exhibit 1A

Filed Under Seal

Exhibit 1B

From: Tom Barry <TBarry@yeuell.com>
Sent: Tuesday, April 7, 2015 6:12 AM
To: GILIMEX - LE THAO <lethao@gilimex.com>
Cc: HOANG BAC - GILIMEX <hoangbac@gilimex.com>; GILIMEX - BICH THUAN <bichthuan@gilimex.com>; HGRAND@kivasystems.com; lvivona@KivaSystems.com
Subject: Re: Updated Label Supplier Contacts
Attach: image001.jpg; image002.jpg; image003.jpg

Hi Thao

Do you have a list of the labels you need and the quantities of each part number? (for example how many each of 1A, 2A, 3A etc)

We can complete most if not all within that time frame

Tom

On Apr 6, 2015, at 10:58 PM, "GILIMEX - LE THAO" <lethao@gilimex.com> wrote:

Dear Mr. Tom,

Could you please advise us the quantity of labels you can produce in 25 days?
Because we find that your leadtime is too long, it cannot reach our schedule for production.

Many thanks,
Thao

Thanks and best regards!

LÊ THÀO
Business Department
Binh Thanh Imp - Exp Production And Trade Joint Stock Company
334A Phan Van Tri, ward 11, Binh Thanh district, Ho Chi Minh City, Viet Nam
Tel: (84) 8 3516 2288, Ext: 112
Mobile: (84) 0942 627 932
Skype: thaole2511
Email: lethao@gilimex.com, gmail: lethao2511@gmail.com
Website: www.gilimex.com

From: Tom Barry [<mailto:TBarry@yeuell.com>]
Sent: 07/04/2015 3:19 AM
To: GILIMEX - LE THAO
Cc: HOANG BAC - GILIMEX; 'GILIMEX - BICH THUAN'; HGRAND@kivasystems.com; lvivona@KivaSystems.com
Subject: RE: Updated Label Supplier Contacts

Hi Thao

I just wanted to follow up with you on your requirement for labels.

Will you be placing an order soon for these? You indicated that you needed them quickly. We can get started on production as soon as you place an order/

Please let me know if you have any questions, or if I can be of any assistance

Tom

From: GILIMEX - LE THAO [<mailto:lethao@gilimex.com>]
Sent: Wednesday, April 01, 2015 10:14 PM
To: Tom Barry
Cc: HOANG BAC - GILIMEX; 'GILIMEX - BICH THUAN'; HGRAND@kivasystems.com; lvivona@KivaSystems.com
Subject: RE: Updated Label Supplier Contacts

Dear Mr. Barry,

I'm Thao from Business Dept, Gilimex company which is one of suppliers of KIVA. It's nice to contact with you!

As designated from KIVA team, we can buy below labels from your company.
<image001.jpg>

We are currently in urgent need of 1,500,000 pcs of labels to catch up with delivery time for KIVA, therefore, please kindly advise us following information:

1. Price? Incoterm?
2. Payment method?
3. Leadtime of production?

If we order 1,500,000 pcs, how long do you produce them? And what about the delivery time if shipping by sea from your company to our factory?

We appreciate if you have feedback within today.

Many thanks,
Thao

Thanks and best regards!

LÊ THÀO
Business Department
Binh Thanh Imp - Exp Production And Trade Joint Stock Company
334A Phan Van Tri, ward 11, Binh Thanh district, Ho Chi Minh City, Viet Nam
Tel: (84) 8 3516 2288, Ext: 112
Mobile: (84) 0942 627 932

Skype: [thaole2511](#)

Email: lethao@gilimex.com, gmail: lethao2511@gmail.com

Website: www.gilimex.com

From: Grand, Heather [<mailto:HGRAND@kivasystems.com>]

Sent: Tuesday, March 31, 2015 10:34 PM

To: hoangbac@gilimex.com

Subject: Updated Label Supplier Contacts

Hello Bac,

We currently have two certified suppliers for the pod labels with negotiated pricing. It is recommended that we split orders as best we can (50-50) between Graphic Information Systems (GIS) and Yeuell. I've provided both contacts below for your records. Feel free to contact me with any questions regarding this request.

GIS

Paul Kennell

(513) 532-3080

pkennell@graphicinfo.com

Yeuell

Tom Barry

(781) 933-2984

TBarry@yeuell.com

Thank you,

Heather

Heather Grand

Commodity Specialist

<image003.jpg>

<image002.jpg>

t: 781.362.5025

m: 978.905.9305

Hgrand@Amazon.com

300 Riverpark Drive | North Reading, MA 01864 | USA